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Testimony of
Carolyn Treiss, Executive Director
Permanent Commission on the Status of Women
Before the Labor and Public Employees Committee
March 5, 2015

**Re: S.B. 858, AN ACT CONCERNING EMPLOYEES WHO CUSTOMARILY AND REGULARLY
RECEIVE GRATUITIES AND THE MINIMUM FAIR WAGE
H.B. 6784, AN ACT EXPANDING PAID SICK LEAVE
H.B. 6932, AN ACT CONCERNING PAID FAMILY MEDICAL LEAVE
H.B. 6933, AN ACT CONCERNING PREDICTABLE SCHEDULING**

Senators Gomes and Hwang, Representatives Tercyak and Rutigliano, and distinguished members of the Labor and Public Employees Committee, my name is Carolyn Treiss and I am the Executive Director of the Permanent Commission on the Status of Women (PCSW). Thank you for this opportunity to provide testimony today on in support of S.B. 858, Act Concerning Employees Who Customarily and Regularly Receive Gratuities and the Minimum Fair Wage, H.B. 6784, An Act Expanding Paid Sick Leave, H.B. 6932, An Act Concerning Paid Family Medical Leave, and H.B. 6933, An Act Concerning Predictable Scheduling.

63.3% of women participate in Connecticut's labor force and women with dependent children are more likely to be in the workforce than all women- 77.6% of women with children under 18 and 73.6% of women with children under 6.¹ In two-thirds of American families, mothers are the primary breadwinners or co-breadwinners.² The point being that the workforce has changed – more women than ever, many of whom with families to support, are working. Connecticut has historically taken the lead on family-friendly policies, being the first state to enact family and medical leave protections and paid sick days. As Connecticut looks to attract new and experienced workers to grow our economy, our state's policies should reflect the fact that women have children and earn wages on which their families depend. The time is at hand for Connecticut to take the lead once again and several of the bills on the agenda today move us in that direction.

Paid Family Medical Leave

H.B. 6932, AN ACT CONCERNING PAID FAMILY MEDICAL LEAVE

¹ The Status of Women in Connecticut's Workforce. Institute for Women's Policy Research, November, 2014.

² The Effects of Paid Family and Medical Leave on Employment Stability and Economic Security. Center for American Progress, 2012.

Connecticut led the way in implementing the nation's first system of family and medical leave (FMLA) that was essentially a jobs protection act. It gave workers the right to take extended – unpaid – leave for the birth or adoption of a child, to care for one's own illness or that of a child or parent. Most importantly, it assured workers the security of knowing they could return to their jobs after the leave. In subsequent years, the law was expanded and became the blueprint for landmark federal law. Now, more than two decades later, 78% of those eligible for FMLA don't take it when they need to because they cannot afford to go without a paycheck for an extended period.³ Furthermore, many employees aren't even eligible to take leave under FMLA because their employer doesn't meet the size threshold. By making changes to Connecticut's current FMLA that address these obstacles, we can make the benefit accessible to more of those who need it.

H.B. 6932 creates an entirely employee-funded system of paid family and medical leave and follows the example of California, New Jersey and Rhode Island, all of which have paid family and medical leave systems in place.

Paid family and medical leave would benefit everyone, regardless of their gender. But the reality is that women remain the primary caregivers – of infants and children, of spouses and aging parents – throughout their lifespan. Too many women of childbearing age see their careers derailed just as they are taking off or are forced to leave the workforce altogether. Women in their mid-20s to early 40s are the demographic employers seek most often, which happens to coincide with the time of life to have a family, if one wishes.

The reality is that women have children in the middle of their peak earning period and their earnings are crucial to the economic stability of their families. The PCSW fields calls from both women and men, who have just received the news that they are expecting a baby, and have learned that their employer doesn't offer paid leave. They call seeking assistance and are shocked to discover that FMLA is unpaid.

In fact, only 16% of employers across the U.S. offer fully paid maternity leave, causing many families to acquire significant debt or rely on public assistance after the birth of a child.⁴ For most the only options are to cobble together whatever forms of leave they may already have such as vacation or sick leave. But this isn't a sustainable option. First, many employers don't offer vacation or paid sick time. Second, when women must accumulate their time in order to take maternity leave, those who are even thinking about trying to get pregnant often feel tied to their jobs and miss out on opportunities for advancement and better pay.

What about the woman who has complications during her pregnancy and must take time out of work before she gives birth? Or a woman who uses all of her accumulated time to take a maternity leave only to be faced with her newborn requiring medical care that takes her out of work. These aren't hypotheticals; they represent the reality of working women across Connecticut every day. The consequences are not just felt by a woman and her family, but by society as a whole. According to a 2014 U.S. Department of Health & Human Services ASPE report, women who return to work after a paid leave have a 39% lower likelihood of receiving public assistance and a 40% lower likelihood of receiving food stamps in the year after the birth of a child.⁵

Of course, paid family and medical leave is not just about women having babies. I would venture to guess that many in this room, like myself, have had or will have the experience of caring for an aging or chronically ill parent. As the generation of baby boomers continues to age, the number of older Americans and the need for caregivers is also increasing.⁶ Often the demands of such caregiving require time away from work. Nearly 7 in 10 working caregivers report making work related accommodations because of caregiving responsibilities such as arriving late or leaving early, taking time off, cutting back on work hours, changing jobs or stopping work entirely.

³ Economics and Politics of Work-Family Policy. Working Poor Families Project, 2009.

⁴ Paid Parental Leave: U.S. vs. The World. The Third Metric, 2013.

⁵ Winston, P. Work-Family Supports for Low-Income Families: Key Research findings and Policy Trends, ASPE Report, 2014.

⁶ Feinberg, L. Choula, R. Understanding the Impact of Family Caregiving on Work, AARP Public Policy Institute, 2012.

And finally, the most common reason that workers take leave under current FMLA, is for their own serious illness. No one plans to get cancer, or have a heart attack or stroke. Why should a person, struggling with the emotional and physical toll of a serious illness, also have to worry about how they are going to pay their mortgage or feed their children?

The PCSW believes that a critical piece of H.B. 6932 is the allowance for the leave to be taken incrementally because many people who are caring for a relative or who are suffering from an illness want to be at work, but their demands make it difficult to work a full day. As a result of caregiving responsibilities, many women today turn to part-time work. According to U.S. Department of Labor data, in Connecticut, 27% of women compared with just 3% of men who work part-time do so for “family or personal obligations”.⁷ While the decision to reduce hours of paid work or withdraw from the labor force may, for some families, be feasible in the short-term, it can threaten a woman’s (and her family’s) long-term economic security. Stepping out of the labor force for a period of time or cutting back on hours of paid work decreases long-term earning potential and very likely reduces Social Security and pension benefits in retirement.⁸ A system of paid family and medical leave will increase job tenure rates, lifetime earnings, and economic security in retirement for women, who are currently the most likely to take unpaid leave or drop out of the workforce when family caregiving responsibilities present themselves.⁹

No one plans for an illness, but the unfortunate reality is that our children, our loved ones, and we get sick. A system of paid family and medical leave is a sensible safety net, just as other kinds of insurance protect us against the unforeseen. The PCSW views H.B. 6932 as an essential policy change to address women’s economic security. Women deserve better, Connecticut can do better, and H.B. 6932 can help get us there.

Fair Wage, Predictable Scheduling, & Paid Sick Days

S.B. 858, AN ACT CONCERNING EMPLOYEES WHO CUSTOMARILY AND REGULARLY RECEIVE GRATUITIES AND THE MINIMUM FAIR WAGE

H.B. 6784, AN ACT EXPANDING PAID SICK LEAVE

H.B. 6933, AN ACT CONCERNING PREDICTABLE SCHEDULING

In Connecticut, half of employed women are concentrated in two groups of occupations, the service industry and sales and office positions, which are among the lowest-paid.¹⁰ Three of the bills you have before you today, while impacting all workers, will have a greater impact on employees who work in these occupations.

Tipped restaurant workers are paid a “tipped wage” which means that they are only guaranteed a base wage of \$5.78/hour – far less than the minimum wage – with the expectation that the difference will be made up in tips. If the worker does not receive sufficient tips in the workweek to meet minimum wage, then the employer is required to make up the difference (the current maximum tip credit is \$3.37). According to the Shriver Report, women account for 70% of tipped workers nationally. Furthermore, low pay and dependence on tips makes a woman three times as likely to live in poverty as the rest of the U.S. workforce and is more likely than in other industries to be subjected to verbal and physical harassment.¹¹

Tipped wages are unpredictable and arguably have less to do with the quality of service and more to do with the weather or the price-point of the restaurant. However, household expenses at best, are constant, but as we all know, usually increase. As women’s contributions to family income increases – employed women in dual earner

⁷ The Status of Women in Connecticut’s Workforce. PCSW and Institute for Women’s Policy Research, November, 2014.

⁸ The Status of Women in Connecticut’s Workforce. PCSW and Institute for Women’s Policy Research, November, 2014.

⁹ The Effects of Paid Family and Medical Leave on Employment Stability and Economic Security. Center for American Progress, 2012.

¹⁰ The Status of Women in Connecticut’s Workforce. PCSW and Institute for Women’s Policy Research, November, 2014.

¹¹ Tipped Over the Edge: Women in the U.S. Restaurant Industry. The Shriver Report, January 2014.

couples contribute an average of 42.4% to the annual family income¹² – it becomes essential to a family's economic security for the co-breadwinner to have a stable source of income. PCSW would support the creation of a single minimum wage for all workers, rather than the existing sub-minimum wage that exists for tipped workers. As written, S.B. 858 does not accomplish this; it should be amended to require that every server earns the minimum wage as the base wage, placing a family's economic security and well-being back in the hands of the server, and not at the mercy of the customer or the weather.

Women face additional barriers to economic security when employers don't provide predictable scheduling. For a working mother who must arrange childcare at unpredictable hours or who does not have access to reliable transportation, to be told that she isn't needed once she arrives for her shift, or told to report to work with less than 24-hours notice and left scrambling to find care for her children, the financial and emotional toll is significant. H.B. 6933 would provide workers some measure of predictability in scheduling and fair compensation if employers fail to provide sufficient advance notice of work schedules or if workers report to work according to schedule and are then sent home. The PCSW supports H.B. 6933 because this is a basic issue of fairness that merely requires employers to recognize and respect that their employees have families and face every day struggles that can be lessened somewhat with simple changes to their business practices.

The PCSW also supports H.B. 6784, which makes improvements to Connecticut's current paid sick days law. Ensuring that workers have access to paid sick days, once again, disproportionately impacts women, as women are overwhelmingly the primary caregivers of infants and children, of spouses and aging parents. As the law was written, it currently excludes nearly 200,000 workers because the law only applies to firms with 50 or more employees and it carves out several, seemingly arbitrary, occupational classifications as well as nationally chartered non-profits. Since Connecticut's law was passed, Massachusetts passed a paid sick days law via referendum which covers workers employed by firms with 10 or more employees and includes parents in the definition of family member. The changes in H.B. 6784 mirror the law the Massachusetts passed in November of last year.

H.B. 6784 also ensures that part-time workers can accrue paid sick days, an important measure for women who are more likely than employed men to work part-time because of "family or personal obligations".¹³ A loyal worker can also be a devoted daughter, a responsible parent, a loyal grandchild, a loving sibling, or a concerned spouse. It is time our laws reflect that.

Thank you for your thoughtful consideration of these important issues.

¹² U.S. Congress Joint Economic Committee. Expanding Access to Paid Sick Leave, March 2010.

¹³ The Status of Women in Connecticut's Workforce. PCSW and Institute for Women's Policy Research, November, 2014.